

MINUTES OF BOARD MEETING # 435

February 8, 2005 12:00PM

Members Present:

Daniel W. Varin, Chairman
Timothy Brown
Robert Griffith*
Mr. Dzykewicz Dzykewicz*
Frank Perry (non-voting)**
Jon Schock
William Stamp, III
Doris Aschman*
Alicia Good*

Members Absent:

William Penn, V. Chairman

*Member designee

**Pending Senate confirmation

Staff Present:

Kathleen Crawley
Elaine Maguire
Connie McGreavy
Brian Riggs
Tracy Shields
William Riverso

Guests:

Dr. Anne Veeger, URI
Dr. Joseph Gorres
Mr. Mark Boyer, Boyer Associates
Pasquale DeLise, BCWA
John Saviano, BCWA
Ranthus Fouch, Westin & Sampson

1. CALL TO ORDER

With a quorum present, Chairman Varin called the meeting to order at 12:10 PM.

2. APPROVAL OF MINUTES:

Chairman Varin asked for a motion on the minutes. On a motion by Mr. Stamp, seconded by Mr. Schock, the Board unanimously approved the minutes of the January 2005 Board meeting with one minor revision.

3. CHIEF BUSINESS OFFICER'S REPORT

Mr. Schock stated that the Finance Committee reviewed the report and recommended approval. He added that there is a significant variance between the January 2004 surcharge receipts and January 2005 figures. Mr. Schock stated that Mr. Riggs added a column to compare these months, which reveals that the variance is a direct result of when payments came in. Mr. Schock noted that net surcharge receipts are down overall, due to wet weather in July and August. On a motion by Mr. Schock, seconded by Mr. Griffith, the Board unanimously approved the Chief Business Officer's Report dated January 2005.

4. CHAIRMAN'S REMARKS

Mr. Varin had no report for this month.

5. GENERAL MANAGER'S REPORT

Ms. Crawley stated that she worked closely with Ms. Maguire, Rhode Island Housing and others to finalize a scope of work for lead assessments in the Big River Management Area (BRMA). The fair market appraisal process is underway with White Appraisal. An informational meeting with local officials and representatives was held to explain the procedure. A meeting with BRMA tenants is planned for March 10, 2005. Ms. Crawley met with Ms. Maguire, Mr. Perry and Mr. Brian Peterson to review final plans for the Coventry Girl's Softball

League; she anticipates that the lease will be presented next month for Board approval. The Brown matter is on hold—on advice of legal counsel and with concurrence of the Brown’s attorney—until the impacts of Separation of Powers on the Board are addressed. Ms. Crawley stated that Mr. Rivero’s Groundwater Protection program is moving forward. Subsequent to last month’s Board decision, she and Mr. Rivero met with the State Properties Committee and received conceptual approval to begin negotiations to acquire five wellheads on and around Tuckahoe Turf Farm. Ms. Crawley then distributed an article that ran in the Providence Journal. She indicated that a follow-up meeting is scheduled with the RI Dept. of Environmental Management (DEM), Tuckahoe Turf and The Nature Conservancy. The Water Quality Protection Program is also progressing. On January 31, 2005, Ms. Crawley and Mr. Rivero presented a check for approved projects at the Westerly Town Council meeting. Staff met with the Providence Water Supply Board at their request to discuss the Board’s program and eligible projects. Mr. Rivero continues to contact suppliers urging them to expend funds by the February 2006 deadline. Newport, Pawtucket, Jamestown, Stonebridge and North Kingstown are under negotiation on land acquisition projects. Woonsocket is awaiting a judicial opinion regarding the cost of a parcel the district would like to acquire. Mr. Rivero is also finalizing a statewide water rates spreadsheet based on a recent water rates survey.

Mr. Walker’s emergency interconnection program is progressing with the North Tiverton and South Kingstown projects. Mr. Walker has developed a preliminary construction timeline for the Shad Factory Pipeline. The Bristol County Water Authority has been contacted as well as the state Budget Office to ensure timely issuance of the bond monies to match the projected construction schedule. Work with the RI Rivers Council continues to legally define the term *associated function*, develop accounting procedures and discuss future budget needs. Upon request, the Board submitted a list of federal funding priorities to the Governor’s Washington office. Ms. Crawley reported that Alison Sobel, a Brown graduate student, has chosen the HAP implementation plan for her graduate thesis. She reviewed and provided comment on her outline and first chapter; the presentation is this week. Several staff members provided comment through Chairman Varin to the Governor’s Watershed Coordination Team. Ms. O’Keefe provided significant comments. Ms. Crawley and Ms. O’Keefe followed up with Ms. Sue Kiernan of DEM to revise the document. Ms. Crawley and Ms. O’Keefe attended the Statewide Planning Council’s Technical Committee meeting where Ms. Crawley presented an overview of the Water Allocation program. She received positive feedback. Ms. O’Keefe also reviewed affordable housing plans and comprehensive plan updates, including Kent County Water Authority’s 30-month update, which is out for agency review.

Ms. McGreavy completed several web updates and submitted a water data grant request to EPA. Copies are available upon request. Ms. Crawley met with the auditor and her supervisor to confirm that the work to date has been background research to prepare an audit plan. They both have stated that this is a performance audit and departs from past practice. The anticipated end date and predicted date of the audit report for management response is March 31, 2005. Staff interviews begin this week. Ms. Crawley mentioned that the Property and Finance Committees met last month.

COMMITTEE REPORTS AND ACTION ITEMS RESULTING

A. Public Drinking Water Protection Committee—Chair, Robert Griffith

Mr. Griffith reported that the Public Drinking Water Protection Committee did not meet in January.

(1) Water Supply Systems Management Plans (WSSMP):

- (a) Smithfield Water District, WSSMP—30-Month Interim Report. Request for Approval

Mr. Griffith stated that this request was for approval of an extension for Smithfield’s 30-month water supply system interim report. Mr. Griffith stated that this is a routine request for an extension due to staff turnover in Smithfield. The extension will be 90days. Mr. Griffith made a motion to that effect with Mr. Brown seconding. The motion carried unanimously.

- (b) Delegate to Public Drinking Water Committee Approval of Extension Requests for a Cumulative Period not to Exceed One Year

Mr. Griffith stated that this request was to delegate authority to the PDWP Committee to approve extensions for interim reports for a period, not to exceed one year. Mr. Griffith recommended approval and made a motion to that effect. Mr. Schock seconded the motion. Mr. Perry felt it was a good idea, similar to other actions that have been delegated in the past. The motion carried unanimously.

B. Property Committee Chair, Frank Perry

(1) Big River Management Area—Land Use Study, Scope of Work. Request for Approval. Dr. Josef Gorres and Dr. Anne Veeger, URI

Mr. Perry introduced Dr. Anne Veeger and Dr. Josef Gorres of URI. Mr. Perry then stated that the Property Committee reviewed the draft scope of work. (Mr. Varin distributed a revised draft work scope.) Dr. Gorres began the presentation by explaining that the existing land use plan was first published in 1996. The 1996 study was a 5-year plan, designed for the short term. It outlined broad guidelines for uses in the BRMA. Dr. Gorres explained that it was necessary to amend the plan to address some of the earlier recommendations, especially now that more information was available regarding water resources. URI would collaborate with Brown University and the Board. The work would complement other research initiatives presently underway by the US Geological Survey (USGS) and the Board. Dr. Gorres explained water use projections for Kent County saying that today; demand is maxed out given existing pump capacity. However, in ten years, there will be additional demand (AMGEN and the Center for New England), which he estimated to be about 15 million gallons per day. The work scope involves identifying additional data via a technical committee, conducting modeling in the wellhead protection area and assessing impact of withdrawals on the environment and in the BRMA. Dr. Gorres stated that the land use assessment would be done using map overlays. Deliverables will include recommendations on land management considerate of ongoing source water development efforts. Other recommendations will address the goals of maximizing withdrawals while protecting ground water, identifying land uses compatible with ground water development and compiling existing natural resource data for the BRMA. Dr. Gorres projected August 2005 for completion of the analysis, data integration and modeling. The amended study would be completed by November 2005.

Mr. Perry stated that the Property Committee recommended the project. Mr. Varin stated that if the Board approves the work scope, the Acting General Manager could proceed with negotiating a contract in order to meet the schedule. Mr. Brown made a motion to approve the scope of work with Mr. Dzykewicz seconding the motion. Ms. Good had some concern regarding the recommendations; she thought the plan was going to deal with land use only, not impacts from pumping scenarios. She asked for clarification regarding further data gathering or analysis of impacts under pumping scenarios. Dr. Gorres stated that impacts of water withdrawals would be investigated as part of the scope. Mr. Perry said this meant defining the areas that will be impacted under various pumping scenarios and identifying uses that can or cannot happen within those areas. He did not believe the intent was to undertake a detailed environmental impact analysis. Dr. Veeger offered a hypothetical example using a vernal pool located in a wellhead protection area. The extent of their analysis would identify the vernal pool as a “sensitive” area; however, it would not indicate the change in level of water in a vernal pool due to pumping. Any assessment that would require a significant amount of instrumentation in the field would not be undertaken.

Mr. Dzykewicz suggested that the Board fund the additional work because sooner or later, wells need to be developed to supply water for the region. If the work scope were expanded, all the information needed to permit those wells would be provided. He felt the Board could save a year on the BRMA well permitting effort, adding that no one will want to go forward without the study being done first. Ms. Crawley stated that \$200,000 was set aside in the Board’s budget for an ecological assessment of the BRMA, which was the next stage of work. Mr. Perry restated that this is a land use study—it will define what activities are going on now, what activities can or cannot continue and where activities can or cannot occur. The present land use study is not specific enough, now that water development is approaching actual utilization. Dr. Gorres indicated that the intent was not to tie in what is going on in

the BRMA with other management areas in the state. It is to determine appropriate land uses and locations for these land uses, including mountain biking, hunting, fishing, military training, etc. For example, forest management can provide new wildlife habitat in some places; yet composting wood chips may not be suitable in other areas. This study will give the Board guidance.

Chairman Varin stated that there were two tasks—two parallel tracks to get the Board where it wants to be. Mr. Dzykewicz then referred to Dr. Gorres' chart depicting available water supply and demand, advocating for expanding the scope to save time. Mr. Schock wanted to know if the project consisted of a compilation of GIS data layers and whether any new layers were being added. Dr. Veeger explained that there would be a new layer for wellhead modeling, similar to the USGS depiction of its modeling study areas in reports. Mr. Schock wished to clarify whether this was an addendum to the plan, versus an amendment. Mr. Varin stated that the current plan is not easy to read. Ms. Good asked if there would be wellhead delineations for every pumping scenario, and whether the Board would provide the list of preferred scenarios. She thought the technical committee could determine which of the 28 wellheads should be focus areas. She also asked what the initial assumptions were. Ms. Good advised that the Board be clearer on project deliverables; she was not certain that the work scope would accomplish the project goal. Ms. Good supports the idea of doing an ecological assessment in the BRMA; however, she did not think this effort should get into water withdrawals and impacts—only land use (within the context of protecting groundwater quality).

Mr. Griffith referred to a letter of transmittal regarding the \$50,000 study for the current fiscal year, indicating that the work must begin shortly. Ms. Crawley explained that \$200,000 was allocated for a follow up study in Fiscal Year 2006. Mr. Griffith believed that the study would complement the land use plan. The technical committee would identify other steps that need to be taken in terms of water development. Mr. Griffith felt that the Board might not have 4-5 years after this process is completed to then start a [well] permitting process. The Board must coordinate well and use every opportunity to get the message out so that the RI General Assembly, the administration and the public understand that this is not just another study—the Board is developing new water resources. Dr. Gorres added that past proposals put forward by his team addressed these types of concerns. Mr. Stamp urged the Board to lead and provide water to communities that need it. He said that studies in the BRMA have been going on for a long time, yet the Board has not taken the initiative. Speaking for the agriculture community and people who have had land taken from them, Mr. Stamp stated that communities need water to develop businesses. Mr. Varin explained that from 1965 until the mid 1990s, not much was done except for engineering for the reservoir, which is 80% complete. In the last ten years, the pressure of events is pushing the Board; however, he was confident the Board could get it done.

Ms. Good advised that the project managers identify, one or the other, of two methods noted for uniform flow equations. Dr. Veeger replied that the approach would be to test out each method, based on the assumptions per each setting. Ms. Good indicated that DEM staff prefer MODPATH. She suggested amending Item 1 to provide for recommendations on land use and land management within the wellhead protection area in the context of the USGS water withdrawal scenarios and end it there. She did not think that ecological impacts or maximization of withdrawals should be included. Ms. Good also suggested adding a new deliverable: that the technical committee recommends the list of pumping scenarios. The scope would be revised so that the new deliverable would become Item 1 and the second recommendation on land use would become Item 2. Dr. Veeger stated that sensitive environmental areas could be identified qualitatively using geographic information systems, versus quantitatively. She planned to create a data layer depicting sensitive areas. Ms. Good made a motion to amend the original motion by adding her language regarding the modified deliverables. Mr. Griffith seconded the motion. There was no discussion. The amended motion passed with Mr. Stamp and Mr. Brown opposed. Mr. Varin added that it would be important to start work immediately.

(2) Boyer—Final Presentation of Completed Survey—Request for Acceptance; Final Payment Requested: \$41,697.50; Recommended payment: \$41,697.50. Request for Approval

Mr. Perry introduced Mark Boyer of Boyer Associates. Mr. Boyer distributed a drawing of the BRMA boundary, adding that the final set of plans (delivered in one month) will consist of 12 sheets at 400-scale. Mr. Boyer stated that he has been working on the survey for 4.5 years and he will submit the survey to the relevant communities in March. Mr. Boyer explained that the Board acquired the land after a condemnation in 1965. He next described some of the problems with the survey.

- Healey Parcel: This land is located between Harkney Hill Road and Twin Brook Lane. Eighteen acres were originally taken by eminent domain for the reservoir; the remaining parcel was land-locked. In 1971, the land was sold, but the purchase is not documented in condemnation records. The state owns an additional 100-acre parcel in the vicinity.
- Pagliarini Parcel: This property (the nursery) is located near the Cardi gravel pit and Windcheck Gun Club; it is southeast of the proposed reservoir location. Like the Healey transaction, some land was taken for the reservoir, leaving a land-locked parcel that the Board did not take title to.
- Pulanski Parcel: This land is located north of Fish Hill Road. The parcel was deeded back to the owner in order to provide a trail to Harkney Hill Road that was in existence at the time of the condemnation. An abutting owner (Pancarawitz) with land situated along the easterly boundary of the BRMA built a structure that now encroaches on the property. There is no concrete foundation, only telephone poles. Fencing, a cow barn, stump dump, some concrete and several vehicles are situated about 100 feet onto the BRMA property.
- Metcalf Steel: This land is located along the southeast corner of the BRMA property along New London Turnpike. The owners believe the existing cornfield is on their property; however, condemnation records indicate the field is split—half is on their land and half is on BRMA land.
- Boudreau Parcel: This triangular-shaped parcel is located east of the Pancarawitz land. Ferreira was the original property owner at the time of condemnation. A shed encroaches between 8-9 feet onto the BRMA property. The owner current is using the shed and has not moved it.
- RI Dept. of Transportation (DOT): This land is located off New London Turnpike at the Park And Ride. The entire lot is on BRMA property. Research found no record of any deed or agreement between DOT and the Board. (Mr. Perry stated that DOT's planning division was handling most of the property matters at the time.)

Mr. Boyer mentioned that property owners (Pysz) on Gardener Madison Road thought part of the road was on their property, but that is not the case. He added that the Albro Parcel is a sliver of land that the Board took title to and that the old field office on Pine Tree Lane was the last parcel taken for the reservoir. Mr. Boyer explained that the hatched line on the drawing that traverses the property is a Narragansett Electric easement extending some 200' – 300'. The "cut through" has been commonly interpreted as a boundary. Before he began work, Mr. Boyer was under the impression that a majority of the bounds were never permanently set. Actually, Mr. Boyer discovered that nearly 80% of the bounds were in place, fixed 6"-8" below grade. He believes he located all but two granite bounds. Mr. Boyer recommends installing witness posts near the monuments at Clubhouse Path. The area is going to be developed shortly; there are only 3 monuments on the path and all of them are hard to find. Installing the posts would help identify the trail. When Mr. Boyer submits the final plans, he will also provide a drawing [AutoCAD] file referencing RI State Plane coordinates. Additionally, he intends to prepare six sets of mylars. Mr. Boyer will record the plan in each affected community. That will leave the Board with two sets of mylars.

Mr. Schock asked if any monuments were added. Mr. Boyer answered, no. Mr. Schock asked if a new Metes & Bounds description was prepared. Mr. Boyer replied that he used existing descriptions and condemnation plans, but he would be able to prepare a new description if the Board wanted. He felt that the plan would be more useful than a description because Metes & Bounds descriptions are hard to

follow. Mr. Schock wanted to know if this was a Class 1 survey. Mr. Perry stated that recording the plan in the towns would be a plus because some of the existing records were not clear. Mr. Boyer stated that some towns do not even have plans of the BRMA property, and that Coventry had the wrong plan—one that did not properly depict the Mapleroot land. Mr. Schock asked for an estimate of the number of witness posts anticipated. Mr. Boyer replied, over 200. Witness posts are not needed at all the bounds because some are highway bounds. The problem is in high traffic areas—posts will be ripped out in these areas or knocked over.

Mr. Varin stated that property can be acquired without surveys or surveys may be completed later. He cited the example of the Indian Land Claim Settlement Area in Charlestown, an area that has never been surveyed. Mr. Perry acknowledged that the condemnation included properties that had never been surveyed. Mr. Boyer figured that land-locked parcels (no frontage) were not intended. He added that towns acquire property, some of which is land-locked, through tax sales. Mr. Varin said that when the Board gets Boyer's report, members must discuss each anomaly and decide what to do with all the encroachments. Mr. Boyer offered to provide separate plans for each one, blown up at a higher scale. Mr. Boyer exclaimed that he did not want the final plans to be cluttered; not all the detail was required for recorded plans. Mr. Varin clarified that all the encroachments were on the BRMA boundary, and not totally within the BRMA. Mr. Perry added that all original landowner names are noted on the plan with parcel numbers so that they can be related to the archive list. He felt the survey plan would be a very usable document. Mr. Perry asked for a motion to accept the "final" survey and approve the invoice for \$41,697.50. Mr. Stamp seconded the motion. Mr. Schock added that the Finance Committee also recommended payment. The Board's vote was unanimous.

C. Construction, Engineering and Operations Committee—Chair June Swallow

Ms. Varin reported that this committee did not meet in January.

**D. Finance Committee—Chair William Penn
(Concurrent with Public Drinking Water Protection Committee)**

Mr. Schock stated that there were no other payment requests.

E. Legislative Committee—Chair Daniel W. Varin

(1) 2005 Legislation Introduction

Mr. Varin explained that he worked with staff to suggest a position on each bill. He indicated he would be looking for consensus from Board members on the legislation, rather than voting on each bill.

(a) H-5003 Relating to Separation of Powers (SOP) Recommendation – No Position

Chairman Varin reported that House Bill H5003 was an omnibus bill for SOP. According to this bill, three legislative appointments would be removed from the Board. Mr. Varin suggested an alternative arrangement to replace the three legislative members with people who would represent various fields, such as the environment and finance. Currently, Mr. Penn is serving in two capacities; the third would not be designated. Mr. Varin suggested that all of this is still a possibility. Mr. Schock questioned whether it was unusual to have a board composed of an even number of members. Mr. Varin said yes, but it was not unheard of. Mr. Perry pointed out that Line 9 should read "four" instead of five members. Mr. Varin asked if there were any objections regarding notifying the RI House of the revision, but that the Board would take no position. There were none.

(b) H-5114 Creating Special House Commission to Study Feasibility of Selling BRMA Back to Prior Owners or Their Heirs Recommendation – Oppose

Chairman Varin reported that this is a perennial bill to create a special commission to study the feasibility of selling the BRMA property back to the original owners. He added that the previous discussion was relevant. Mr. Varin reminded members that he testified against the bill last year and recommended that the Board oppose it this year. Mr. Varin pointed out that this time, the bill is being referred to the House Finance Committee, instead of the Environment Committee. The Board is not clear what property is surplus. Mr. Stamp indicated that he favored the bill. Mr. Varin stated that without consensus, he would ask for a vote. The tally was 6-1 against with Mr. Perry not voting, Mr. Stamp favoring the bill and Ms. Good abstaining.

(c) H-5116 Creating Special House Commission to Study the Use of Eminent Domain Powers in the State Recommendation – Support

Chairman Varin reported that there were other legal “takings” cases across the country brought by private parties. In New London, Connecticut, property owners of seven houses near Pfizer Corp. objected to the city’s attempt to condemn land for a luxury hotel. The Connecticut Supreme Court upheld the city’s position which was later appealed to the US Supreme Court. This case will be heard this term. Mr. Varin stated that staff recommends supporting the study commission, but there are many factors. Mr. Stamp did not understand how the Board could support using eminent domain to take private property. Mr. Varin was unsure of what the study commission would find, but thought the gist of the question was the definition of a public use. This question is not clearly resolved. Mr. Stamp asked what the public use of the BRMA land was—protecting the environment and supporting the recommendations in the BRMA land use plan, and/or the original use for a reservoir. He asked, if the Board takes private property, shouldn’t it then do what it was supposed to do? Mr. Stamp questioned why the Board was still debating putting in groundwater wells; the Board is dragging the process out. Mr. Stamp stated he was speaking for the agriculture community that sits in fear of the Board. He asked what would stop the Board from taking land for recreation purposes. He felt there was no leadership on the water supply question, and that if the reservoir needs to be built, then do it. Mr. Griffith reminded members that the staff recommendation is to support the study commission only. Mr. Varin indicated that the US Supreme Court may rule on the matter and then the commission will not be necessary. Ms. Good felt the matter should be discussed. Nonetheless, Ms. Good and Mr. Dzykewicz, in representing their individual state agencies, had to abstain. Mr. Varin acknowledged that there was consensus that the Board would take no position on the bill.

(d) H-5118 Relating to State Affairs & Government – Open Meetings Recommendation – Support

Chairman Varin reported that this is a technical amendment to define “individual”. Mr. Schock stated that a number of residents in South Kingstown have property in town but cannot participate in town meetings because they are not registered voters. Mr. Perry was concerned that changing the definition, or adding one, might result in a change somewhere else. Mr. Schock thought the purpose was to replace any citizen or entity of the state with a definition of an individual as a resident or nonresident. Mr. Brown did not feel the Board should be taking a position on this type of bill. Mr. Varin acknowledged that there was consensus that the Board should take no position.

(e) S-0039 H-5075 Relating to State Affairs & Government Recommendation – Support

Chairman Varin reported that these companion House and Senate bills would provide for electronic filing of annual reports. Mr. Perry said that Kent County Water Authority had to go through an involved process to file meeting proceedings on the Secretary of State’s web page. The water district had to purchase software and hire a computer person. Mr. Varin acknowledged that there was consensus that the Board would take no position on the bill.

Chairman Varin reported that this bill is being heard today. It is an extended version of a bill the Board opposed last session concerning the way sprinkler systems are tied into public water systems. Mr. Varin stated that the Providence Water Supply Board also objected to last year's bill. As a result of their testimony and that of the state Fire Safety Board, three or four paragraphs were added to the new legislation. Reportedly, Providence has no objection to the current version, but the district will not testify. Board staff report that the agency's objectives are satisfied with the new language. Mr. Varin asked if the Board should indicate no position. Ms. Aschman stated that the RI Dept. of Health (DOH) would be objecting on the basis that the bill allows cross connections between potable and nonpotable water sources. The legislation would not hold water suppliers liable for contamination, which the DOH requires now. Thus, there is a conflict with existing regulations. Mr. DeLise added that he opposes the bill for the same reasons. Ms. Aschman stated that DOH supports cross control legislation instead. Mr. DeLise concurred. Mr. Dzykewicz asked if DOH opposes the concept or the execution? Ms. Aschman indicated that the agency's primary concern is that some fire suppression systems do not use potable water. Underground storage tanks can be filled with nonpotable water and sit for years. Both DOH and the State Fire Marshal have a role in engineering design. Mr. Perry stated that everyone assumes that sprinkler systems on public water use potable water. Mr. Schock said the bill allows commercial users and some residential users to tap into existing water supplies instead of running new lines out to the public supply in the street. Mr. Brown favored submitting a position [to oppose] using the same language as last year's letter. Mr. Varin acknowledged that there was consensus for that approach. Ms. Good and Mr. Dzykewicz abstained.

F. Strategic Committee—Chair Daniel W. Varin

Chairman Varin did not have anything to report under this item.

G. Personnel Committee—Chair Jon Schock

Chairman Varin deferred the item to later in the agenda.

7. NEW BUSINESS

(1) Reappointments:

- a. William J. Penn
- b. Frank Perry

Chairman Varin indicated that each of these appointments was awaiting Senate confirmation. Mr. Perry added that the Nominating Committee would be accepting expressions of interest from members to be officers. He indicated that only public members could hold the offices of Chair and Vice Chair. Mr. Varin asked for a report next month.

8. OTHER BUSINESS

(a) Shad Factory Briefing—Pasquale DeLise, Executive Director, Bristol County Water Authority (BCWA)

Chairman Varin introduced Mr. DeLise and Mr. Saviano from the BCWA. Mr. Saviano reported that several design options were identified for the south end of the broken pipeline. Each failed support will require a different assembly due to the environment at the site. Staff will build prototypes to save time and money; this is a labor-intensive task since each support must be made not to exceed 50 pounds. The supports must be hand assembled and carried to the site; the supports actually lift the pipeline up. Mr. Saviano stated that the request for proposals for engineering services would be issued next month. He expected the design, permitting and construction process will take four or five years. The project will be a challenge administratively—potentially more difficult than the East Bay pipeline because of spanning two states. Mr. Saviano explained that the project entered Phase II in January. He then

introduced Mr. Fauch from Westin & Sampson, project consultant. Mr. Fauch has worked in the plant since the late 1970s. There were no questions from the Board. Mr. Varin indicated that the Board does have money for the Shad Factory repairs; however, money for the new plant is in a bond issue. The Board needs an estimate from BCWA for when the bond money is needed. The state Budget Office needs to sell the bonds in a timely manner. Mr. DeLise indicated that he was working with Board staff on a timeline. Board members indicated a desire to see the prototype structures.

9. RECESS OF BOARD FOR BOARD CORPORATE BUSINESS

With no objection, Chairman Varin recessed the Board for Board Corporate Business at 2: 03PM.

10. RETURN FROM BOARD CORPORATE BUSINESS

At 2:05PM, the Board returned from Board Corporate business. Chairman Varin advised the Board that there was no need to go into Executive Session to discuss Item 11. The matter would be taken up a later date.

11. OPEN CALL FOR EXECUTIVE SESSION IN ACCORDANCE WITH RIGL 42-46-5(a)(1) JOB PERFORMANCE—GENERAL MANAGER POSITION

See Item 10 above.

12. RETURN FROM EXECUTIVE SESSION

See Item 10 above.

13. ADJOURNMENT

On a motion by Mr. Schock, seconded by Mr. Stamp, the Board unanimously voted to adjourn at 2:06PM.

Prepared by,

Connie McGreavy

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